

Order

Michigan Supreme Court
Lansing, Michigan

June 17, 2011

Robert P. Young, Jr.,
Chief Justice

142319

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 142319
COA: 300285
Oakland CC: 2009-229096-FH

SCOTT R. DETLOFF,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 29, 2010 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), rather than grant leave to appeal, we VACATE the defendant's sentence for resisting and obstructing an officer, MCL 750.81d(1). Zero points should have been scored for PRV 1 pursuant to MCL 777.50(2) and (3). The resulting change in defendant's total PRV score produces a lower guidelines range. Defendant is therefore entitled to resentencing. See *People v Francisco*, 474 Mich 82 (2006). Therefore, we REMAND this case to the Oakland Circuit Court for resentencing under properly scored sentencing guidelines. Because we are not persuaded that the remaining questions presented should be reviewed by this Court, leave to appeal with respect to them is DENIED.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 17, 2011

Corbin R. Davis

Clerk